

09-10-04

## PART B - FEE(S) TRANSMITTAL

Q1P5

SEP 09 2004

Completes and send this form, together with applicable fee(s), to: Mail

**Mail Stop ISSUE FEE**  
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**P.O. Box 1450**  
**Alexandria, Virginia 22313-1450**

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 I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (703) 746-4000, on the date indicated below.

(Depositor's name)

(Signature)

(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/937,632	01/22/2002	Douglas D. Burkett	344-P-26-USA	8833

TITLE OF INVENTION: IN VIVO STAIN COMPOUNDS AND METHODS OF USE TO IDENTIFY DYSPLASTIC TISSUE

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$665	\$0	\$665	11/12/2004
EXAMINER	ART UNIT	CLASS-SUBCLASS			
LAMBKIN, DEBORAH C	1626	424-009700			

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

 Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached. "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,  
 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 DRUMMOND &amp; DUCKWORTH

2 \_\_\_\_\_

3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Zila Biotechnology, Inc.

Phoenix, AZ

Please check the appropriate assignee category or categories (will not be printed on the patent):  individual  corporation or other private group entity  government

4a. The following fee(s) are enclosed:

4b. Payment of Fee(s):

 Issue Fee A check in the amount of the fee(s) is enclosed. Publication Fee (No small entity discount permitted) Payment by credit card. Form PTO-2038 is attached. Advance Order - # of Copies 10 The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

 a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. b. Applicant is not claiming SMALL ENTITY status. See, e.g., 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

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(Date)

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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TRANSMIT THIS FORM WITH FEE(S)

## TRANSMITTAL OF PAYMENT OF ISSUE FEE (Small Entity)

(37 C.F.R. 3.11)

Docket No.  
344-P-26-USA

Applicant(s): Douglas D. Burkett

SEP 09 2004 JCB

PATENT &amp; TRADEMARK OFFICE

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/937,632	01/22/2002	Lambkin, Deborah C.		1626	8833

Invention: IN VIVO STAIN COMPOUNDS AND METHODS OF USE

TO IDENTIFY DYSPLASTIC TISSUE

**Mail Stop Issue Fee**  
**COMMISSIONER FOR PATENTS**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

Transmitted herewith are the following for the above-identified application.

Issue Fee Transmittal Form PTOL-85

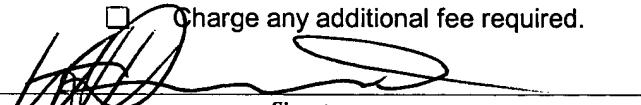
Utility Fee: \$ 665.00       Design Fee: \_\_\_\_\_       Plant Fee: \_\_\_\_\_

Publication Fee: \_\_\_\_\_

A check in the amount of \$695.00 is attached.

The Director is hereby authorized to charge and credit Deposit Account No. as described below.

Charge the amount of  
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Signature

Dated: September 9, 2004

William H. Drummond  
**DRUMMOND & DUCKWORTH**  
 5000 Birch Street  
 Suite 440 East Tower  
 Newport Beach, CA 92660

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**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s): Douglas D. Burkett

Docket No.

344-P-26-USA

Application No.  
09/937,632Filing Date  
01/22/2002Examiner  
Lambkin, Deborah C.

Customer No.

Group Art Unit  
1626

Invention: IN VIVO STAIN COMPOUNDS AND METHODS OF USE TO IDENTIFY DYSPLASTIC TISSUE

SEP 09 2004

I hereby certify that the following correspondence:

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